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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,476	12/23/2003	Jong-Goo Lee	678-1264	9615
66547 7590 04/08/2009 THE FARRELL LAW FIRM, P.C. 290 Broadhollow Road Suite 210E Melville, NY 11747				
EXAMINER THERIAULT, STEVEN B				
ART UNIT 2179		PAPER NUMBER		
MAIL DATE 04/08/2009		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* JONG-GOO LEE, EYAL TOLEDANO, NATAN LINDER,  
YARIV EISENBERG, and RAN BEN-YAIR

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Application No. 10/743,476  
Technology Center 2100

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Mailed: April 8, 2009

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Before Deborah L. Perry, Supervisory Paralegal Specialist, Review Team.  
Perry, Supervisory Paralegal Specialist, Review Team.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on December 31, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

**EXAMINER'S CONSIDERATION OF REPLY BRIEF**

A Reply Brief was filed in this application on December 8, 2008. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

**INFORMATION DISCLOSURE STATEMENT**

Appellant filed an Information Disclosure Statement (IDS) dated December 30, 2008. There is no indication on the record that the Examiner has considered the above Information Disclosure Statement. MPEP § 609 requires the Examiner to consider any Information Disclosure Statement filed by Applicant if timely submitted. A written communication notifying Appellant of the Examiner's consideration of the above Information Disclosure Statement is required.

**CONCLUSION**

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) consider the Reply Brief filed December 8, 2008, as indicated above;
- 2) consider the Information Disclosure Statement filed December 30, 2008; and
- 3) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

Application No. 10/743,476

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